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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/581,742	06/06/2006	Yukihiro Uehara	TR-US065118	8484
22919 7590 04/06/2007 GLOBAL IP COUNSELORS, LLP 1233 20TH STREET, NW, SUITE 700 WASHINGTON, DC 20036-2680			EXAMINER HOOK, JAMES F	
			ART UNIT	PAPER NUMBER
			3754	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		04/06/2007	PAPER	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

## Office Action Summary

Application No.

10/581,742

Applicant(s)

UEHARA, YUKIHIRO

Examiner

James F. Hook

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1 and 2 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 6/6/06.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_.

## DETAILED ACTION

### *Priority*

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Nagata (EP 028,088). The reference to Nagata discloses the recited liquid transfer pipe comprising a first pipe 24a for flowing liquid having a thin wall and small diameter, and a second pipe 24 having a thick wall and large diameter, wherein the outer diameter of the first pipe and the inner diameter of the second pipe are determined so that the first pipe can be housed with predetermined gap within the second pipe.

Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by Peras. The reference to Peras discloses the recited liquid transfer pipe comprising a first pipe 15 for flowing liquid having a thin wall and small diameter, and a second pipe 3 having a thick wall and large diameter, wherein the outer diameter of the first pipe and the inner diameter of the second pipe are determined so that the first pipe can be housed with predetermined gap within the second pipe, a liquid housing section is communicated with one end 11 of the liquid transfer pipe, a pressurization in the form of

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a gas pressurizes the liquid supplied to the transfer pipe which inherently would be provided by a gas blowing section provided with a source of pressurized gas that would inherently create negative pressure at the other end of the liquid transfer pipe.

Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by Briggs. The reference to Briggs discloses the recited liquid transfer pipe comprising a first pipe 58 for flowing liquid having a thin wall and small diameter, and a second pipe 60 having a thick wall and large diameter, wherein the outer diameter of the first pipe and the inner diameter of the second pipe are determined so that the first pipe can be housed with predetermined gap within the second pipe, a liquid housing section is communicated with one end 150 of the liquid transfer pipe, a pressurization in the form of a gas pressurizes the liquid supplied to the transfer pipe which inherently would be provided by a gas blowing section provided with a source of pressurized gas 192 that would inherently create negative pressure at the other end of the liquid transfer pipe.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nagata (EP 028,088) in view of Hamada (JP 2003-135999). The reference to Nagata discloses all of the recited structure with the exception of providing a pressurized gas source to

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force the liquid through the transfer pipe and create a negative pressure on the other side. The reference to Hamada discloses that it is old and well known in the art to providing spraying devices such as those in Nagata with a source of pressurized gas that would create a negative pressure to draw the liquid through the transfer pipe. It would have been obvious to one skilled in the art to provide Nagata with a source of pressurized gas to create a negative pressure to draw the liquid through the transfer pipe as suggested by Hamada where such is an equivalent way to draw liquid through a dispensing device known in the art.

### ***Conclusion***

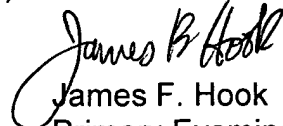
The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The references to Jutte, Becker, Nagata (944 and 790), Ritter, Ziu, Ichimura, and Giovannini disclosing state of the art coaxial pipe arrangements.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James F. Hook whose telephone number is (571) 272-4903. The examiner can normally be reached on Monday to Wednesday, work at home Thursdays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kevin Shaver can be reached on (571) 272-4720. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
James F. Hook  
Primary Examiner  
Art Unit 3754

JFH